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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON AT TACOMA

9 JOSIAH LINDSEY, an individual,

10 Plaintiff,

11 v.

12 MICHAEL NOLAN, individually, and JOHN  
13 GJOVIK, individually.

14 Defendants.  
15

No. 3:21-cv-05078-BJR

STIPULATED MOTION AND ORDER  
EXTENDING ALL DEADLINES

16 **I. RELIEF REQUESTED**

17 Plaintiff Josiah Lindsey and defendant John Gjovik jointly request that this Court grant  
18 their motion to extend the current deadlines in this matter pursuant to the good cause standard  
19 required under Local Rules W.D. Wash. LCR 16(b)(6) to allow the parties additional time to  
20 engage in settlement negotiations and attend mediation.

21 **II. STATEMENT OF FACTS**

22 Josiah Lindsey filed this lawsuit on January 29, 2021 alleging claims under 42 U.S.C.  
23 § 1983 against defendants Michael Nolan and John Gjovik for actions arising out of their  
24 employment by the Washington Department of Children, Youth, and Families. There are three  
25 pending deadlines in this matter set by a minute order of this Court: a deadline of May 14, 2021  
26 for completing the FRCP 26(a)(1) conference; a deadline of May 21, 2021 for exchanging initial  
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STIPULATED MOTION AND ORDER EXTENDING ALL  
DEADLINES - 1

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1 disclosures; and a deadline of May 28, 2021 for submitting the parties' joint status report and  
2 discovery plan.

3 Mr. Lindsey is currently engaged in settlement negotiations with the Department of  
4 Children, Youth, and Families that, if successful, would also resolve his claims against  
5 Defendants Gjovik and Nolan. The parties had previously scheduled a mediation for April 13  
6 and 14, 2021, before the pending deadlines in this matter, but that mediation had to be canceled  
7 due to a medical emergency. The parties have rescheduled their mediation for July 6 and 7,  
8 2021, the earliest available dates with their selected mediator.

### 9 III. ARGUMENT AND AUTHORITY

10 A scheduling order "may be modified only for good cause and with the judge's consent."  
11 Local Rules W.D. Wash. LCR 16(b)(6). The parties jointly request that the current deadlines be  
12 reset for the second half of July, after their mediation will take place. The parties believe there is  
13 good cause for this extension because it will allow the parties to focus their attention on  
14 settlement discussions and avoid unnecessary use of the parties' and the Court's resources if the  
15 matter does resolve.

16 Both defendants have completed waiver of service forms, and if settlement efforts are  
17 unsuccessful there will be no barriers to moving forward promptly with the case. The parties  
18 will not seek another extension. The parties request that the Court set the following deadlines:

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20	FRCP 26(a)(1) Conference deadline	July 16, 2021
21	Initial Disclosures due	July 23, 2021
22	Joint Status Report due	July 30, 2021
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25 DATED: May 12, 2021

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STIPULATED MOTION AND ORDER EXTENDING ALL  
DEADLINES - 3

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1 **ORDER**

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3 The Court GRANTS the parties' stipulated motion to extend deadlines (Dkt. No. 7) and  
4 extends the deadlines below as follows:

- 5 • FRCP 26(a)(1) Conference deadline: July 16, 2021  
6 • Initial Disclosures due: July 23, 2021  
7 • Joint Status Report due: July 30, 2021

8 DATED this 14<sup>th</sup> day of May, 2021  
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12 Barbara Jacobs Rothstein  
13 U.S. District Court Judge  
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